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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE APPLE INC. SECURITIES
LITIGATION

Case No. C06-05208-JF

CLASS ACTION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**DECLARATION OF VIVI LEE IN
SUPPORT OF APPLE INC.'S REPLY IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND PLAN OF
ALLOCATION**

DECLARATION OF VIVI LEE

I, VIVI LEE, declare as follows:

1. I am an attorney duly licensed before all of the courts of the State of California and the United States District Court for the Northern District of California. I am an associate in the law firm of O'Melveny & Myers LLP, counsel of record for defendant Apple Inc. ("Apple"). I make this declaration in support of Apple Inc.'s Reply in Support of Motion for Final Approval of Class Action Settlement and Plan of Allocation. I have personal knowledge of the matters stated herein and, if called upon, could competently testify thereto.

2. On October 4, 2010, I caused notice of the Settlement to be provided on behalf of defendants to the United States Attorney General and the attorneys general for the states and territories of the United States pursuant to the Class Action Fairness Act of 2005, 28 U.S.C. § 1715. Attached hereto as **Exhibit A** is a true and correct copy of the letter sent to the Honorable Eric H. Holder, Jr., Attorney General of the United States (without enclosures). Identical letters were sent to the attorneys general for the states and territories.

3. On November 23, 2010, I caused notice of the amendments to the Settlement and the rescheduled Settlement Fairness Hearing to be provided on behalf of defendants to the United States Attorney General and the attorneys general for the states and territories of the United States. Attached hereto as **Exhibit B** is a true and correct copy of the letter sent to the Honorable Eric H. Holder, Jr., Attorney General of the United States (without enclosures). Identical letters were sent to the attorneys general for the states and territories.

4. As of February 4, 2011, Apple has not received, and to my knowledge no other defendant has received, any objection to the Settlement from the U.S. Attorney General or the attorney general of any state or territory.

5. On January 22, 2011, Gary Sibley, purportedly on behalf of Dr. George Sibley, sent an email objecting to the Settlement to George Riley and Jay Eisenhofer, counsel of record for Apple and Lead Plaintiff, respectively. Upon receipt of Dr. Sibley's correspondence on January 22, 2011, I sent his attorney that day the relevant Settlement documents and fee petition and referred him to the settlement website and toll-free number. Attached hereto as **Exhibit C** is

1 a true and correct copy of the email I sent to Mr. Sibley on January 22, 2011 (without
2 attachments).

3 6. On January 27, 2011, I sent Mr. Sibley an email summarizing the notice program
4 and the facts surrounding the mailing of the Notice to Dr. Sibley. Attached hereto as **Exhibit D** is
5 a true and correct copy of the email I sent to Mr. Sibley on January 27, 2011 (without
6 attachment).

7 7. On February 1, 2011, I requested that the Claims Administrator, Epiq Class Action
8 and Claims Solutions Inc., inform Class Members who inquire about the January 21, 2011
9 deadline for objections and exclusion requests that they may submit late objections or exclusion
10 requests for the Court's consideration. Attached hereto as **Exhibit E** is a true and correct copy of
11 an email chain from February 1 and 2, 2011.

12 8. Attached hereto as **Exhibit F** is a true and correct copy of a January 29, 2011 letter
13 from Charles S. Kyriazos.

14 9. Attached hereto as **Exhibit G** is a true and correct copy of a January 21, 2011
15 letter from Winston Gouzoules.

16 10. Attached hereto as **Exhibit H** is a true and correct copy of Marshall J. Orloff and
17 Ann S. Orloff's objection dated January 20, 2011.

18 11. Attached hereto as **Exhibit I** is a true and correct copy of Laura Hirshman's
19 January 18, 2011 request for exclusion from the Class.

20
21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct.

23 Executed this 4th day of February 2011 at Menlo Park, California.

24
25 /s/ Vivi Lee
26 Vivi Lee